

Decision No. 57322**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Investigation: )  
 into the rates, rules, regulations, )  
 charges, allowances and practices )  
 of all common carriers, highway car- )  
 riers and city carriers, relating to )  
 the transportation of general commo- )  
 dities (including, but not limited )  
 to transportation for which rates )  
 are provided in Minimum Rate Tariff )  
 No. 2.)

Case 5432

SUPPLEMENTAL OPINION AND ORDER

Minimum rates, rules and regulations for the transportation of general commodities are prescribed in Minimum Rate Tariff No. 2. Item No. 730-G contains a commodity rate of 42 cents per 100 pounds, minimum weight 30,000 pounds, for the transportation of soap, lard and related articles between San Francisco Territory and Sacramento, on the one hand, and Los Angeles Territory, on the other hand. The rate is subject to a 7 percent surcharge. The surcharge adjustment was interim in nature pending further determination by the Commission of just, reasonable and nondiscriminatory minimum rates for the transportation of the commodities involved herein.<sup>1</sup>

It has been recommended by the California Trucking Association, Inc., that the 30,000-pound minimum weight be increased to 40,000 pounds and that the applicable surcharge be incorporated into the rate.<sup>2</sup>

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<sup>1</sup> Decision No. 55704, dated October 15, 1957, Case No. 5432 (Pet. No. 62).

<sup>2</sup> See Exhibit No. 62-27, dated November 1, 1956, in Case No. 5432 (Pet. No. 62).

A report of the Transportation Division Rate Branch staff, which report is hereby made a part of the record in this proceeding and identified as Exhibit No. M-1, recommends the absorption of the surcharge into the rate and the retention of the 30,000-pound minimum weight. The report shows that the recommended incorporation of the surcharge into the rate would be consistent with the findings of the Commission in Decision No. 55704, supra, relating to the level of the rates, and would promote tariff uniformity and simplification.<sup>3</sup>

Advance draft copies of the staff proposal were mailed to interested parties for their review and comment. The draft suggested that the minimum weight be increased from 30,000 pounds to 40,000 pounds. However, a number of shippers in response thereto informed the staff that the minimum weight of 30,000 pounds is closely related to the "unit of trade" of the buyers. No change in the minimum weight is recommended in the final staff report.

Item No. 730-G of the tariff also provides an additional charge of  $3\frac{1}{2}$  cents per 100 pounds for other-than-tailgate loading and unloading services, subject to a 10 percent surcharge.<sup>4</sup> The staff report shows that similar accessorial charges for such services, applying in connection with certain other items of the tariff, have been canceled.<sup>5</sup> The report alleges that the justification for eliminating the accessorial charges from the other tariff items applied equally in connection with the elimination of such charges from Item No. 730-G. The staff recommends, therefore, that the provisions of Item No. 730-G containing accessorial charges for other-than-tailgate loading and unloading be canceled.

<sup>3</sup> The current rate plus the applicable surcharge is 44.94 cents per 100 pounds. The recommended rate would result in an increase of .06 cents per 100 pounds.

<sup>4</sup> As defined in the tariff, tailgate loading and unloading means the loading or unloading of carrier's equipment from or to a point not more than 25 feet from said equipment.

<sup>5</sup> Decision No. 56461, dated April 1, 1958, in Case No. 5432.

In the circumstances, it appears, and the Commission finds, that the modification in the minimum rates and accessorial charges applying in connection therewith as proposed in Exhibit M-1 in this proceeding are justified and that the minimum rates, rules and regulations as so modified are and will be just, reasonable and nondiscriminatory minimum rates for the transportation of soap, lard and related articles. Minimum Rate Tariff No. 2 will be revised accordingly. This is a matter in which a public hearing is not necessary.

Therefore, good cause appearing,

IT IS ORDERED:


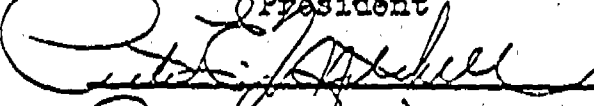


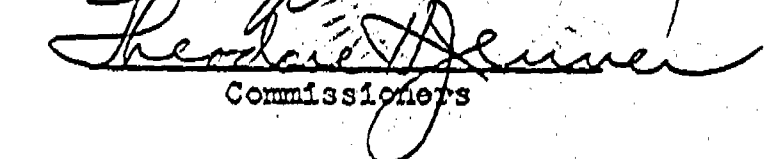
(1) That Minimum Rate Tariff No. 2 (Appendix "D" of Decision No. 31606, as amended) is hereby further amended by incorporating therein to become effective November 1, 1958, Ninth Revised Page 64, which revised page is attached hereto and by this reference made a part hereof.

(2) That tariff publications required to be made by common carriers as a result of the order herein may be made effective not earlier than the effective date hereof on not less than five days' notice to the Commission and to the public, and that such tariff publications shall be made effective not later than November 1, 1958; and that tariff publications which are authorized but not required to be made by common carriers as a result of the order herein may be made effective on not less than five days' notice to the Commission and to the public if filed not later than sixty days after the effective date of the tariff changes herein involved.

(3) That in all other respects said Decision No. 31606, as amended, shall remain in full force and effect.

This order shall become effective twenty days after the date hereof.

Dated at San Francisco, California, this 10<sup>th</sup> day of September, 1958.

  
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President  
  
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Commissioners

Item No.	SECTION NO. 3	COMMODITY RATES (Continued) In Cents per 100 Pounds		
	COMMODITY	BETWEEN	AND	RATE
*730-H Cancels 730-G	Soap, Lard, and Related Articles, viz.: Acid, Boracic, Borax (Sodium Borate), Compounds, Bleaching, Cleaning, Scouring, Washing Disinfectants, other than medicinal, Drain Pipe Solvent, Lime, Chlorinated (Chloride of Lime Bleach or Bleaching Powder), Lye, concentrated, Soap, Soap Chips, Soap, liquid, Soap Powder, Sodium (Soda), viz.: washing Soda (washing crystals), washing Powders, Starch, liquid, Lard, solid, not otherwise specified, Lard Substitutes, not otherwise specified, Oil, cooking, Oil, salad, Vegetable Oil Shortening -----Minimum Weight 30,000 Pounds.	SAN FRAN- CISCO TERRI- TORY as describ- ed in Item No.270. SACRA- MENTO (See Item No. 260)	LOS AN- GELES BASIN TERRI- TORY as descri- bed in Item No. 270.	(1)(2) (3) 045
(1) Subject to Item No. 900. (2) When accessorial services are rendered by carrier in connection with shipments moving under rates in this item the following charges shall be in addition to rate shown: (a) When refrigeration service is furnished, an additional charge shall be made of not less than 2½ cents per 100 pounds. o ** *(b) For other accessorial charges, see Items Nos. 140 and 180. (3) Not subject to provisions of Supplement No. 41.				
*Change ) oReduction ) oIncrease ) Decision No. 57322 **Former subparagraph (b) eliminated.)				
EFFECTIVE NOVEMBER 1, 1958				
Correction No. 848	Issued by the Public Utilities Commission of the State of California, San Francisco, California.			